

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - June 18, 1969

Appeal No. 10071 D. J. Musolino et al, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of June 24, 1969.

EFFECTIVE DATE OF ORDER - December 17, 1970

ORDERED:

That the appeal for variance from use provisions of C-1 District to permit installation of gasoline pumps in conjunction with existing car wash at 29 45th St., N.E., lot 140, Square 5138 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in a C-1 District.
2. The subject property is presently being used as an automated car wash.
3. Appellant proposes to establish a gasoline station to be operated in conjunction with the automated car wash.
4. After the June 18, 1969 public hearing and the June 24, 1969 Executive Session the Board of Zoning Adjustment denied without prejudice the appellants' appeal.
5. On June 26, 1969 the appellant requested reconsideration of his appeal by the Board. On July 7, 1969 the Board, upon reconsideration, granted conditionally appellants' appeal.
6. Appellant stated that the gasoline station will have two (2) islands with four (4) double faced pumps.

7. Appellant also stated that the gasoline station with automated car wash will be used to train disadvantaged, unemployed and underemployed people in hope of developing skilled workers, managers and the top ten percent entrepreneurs who would take over the business as well as other business.

8. The Department of Highways and Traffic offers no objection to the granting of this appeal.

9. No opposition to granting of this appeal was registered at the public hearing. The record contains one letter from a resident of the area opposing the granting of this appeal.

OPINION:

We are of the opinion that the establishment of this gasoline service station at this location will not create dangerous or other objectionable traffic conditions, that the station will be in harmony with the general purpose and intent of the Zoning Regulations and Map, and will not tend to affect adversely the use of neighboring and adjoining property.

This Order shall be subject to the following conditions:

(a) No driveway or entrance to the station shall be closer than 35 feet to street intersections measured from the intersection of the curb lines extended and no such entrance shall be located within 25 feet of any residential district.

(b) Any grease pits or hoist hereafter constructed or established as part of this use shall be within a building.

The Board reserves the right to direct revocation of the occupancy permit upon proper showing that any terms or conditions of this Order have been violated.

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF
SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR
OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF
THIS ORDER.